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Docket No.: CIT/K-0141

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Confirmation No.: 3409

Vsevolod M. KUZMICH et al.

Group Art Unit: 2135

Serial No.: 10/078,272

Examiner: Thanhnga B. Truong

Filed: February 20, 2002

Customer No.: 34610

For: **WATERMARK-BASED COPY MANAGEMENT SYSTEM AND METHOD**

REPLY TO ELECTION REQUIREMENT

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In reply to the Election Requirement mailed on July 13, 2007, applicants elect Species 2 (Figure 2, claims 4-6, 10-12 and 16) with traverse for further prosecution on the merits.

It is respectfully submitted that the subject matter of each of the Groups of claims is sufficiently related that a thorough search for the subject matter of each of the Groups would encompass a search for the subject matter of the other Group. For example, independent claim 4 (of Group II) and independent claim 1 (of Group I) both relate to an operation being based on first copy control information. Further, applicants believe that an election requirement at this state is improper and contradictory to Patent Office procedures. That is, the subject matter of the pending claims has been searched, rejected and has been responded to by applicants. Even further, the subject matter of both sets of claims is believed to be allowable. An election requirement at this stage of prosecution unduly slows down the patent process for the

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applicants, the Patent Office and the general public. Applicants respectfully submit that the election requirement should be withdrawn.

It is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and duplicative examination by the U.S. Patent and Trademark Office.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
KED & ASSOCIATES, LLP



David C. Oren  
Registration No. 38,694

P.O. Box 221200  
Chantilly, VA 20153-1200  
(703) 766-3777 DCO/kah  
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